



San Bernardino Associated Governments
472 North Arrowhead Avenue, San Bernardino, CA 92401
Phone: (909) 884-8276 Fax: (909) 885-4407
Web: www.sanbag.ca.gov



•San Bernardino County Transportation Commission •San Bernardino County Transportation Authority
•San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies

AGENDA

Board of Directors Meeting

May 5, 2004

Start Time: 9:30 a.m.

LOCATION

Norman Feldheym Library, Mary Kellogg Room
555 Sixth Street, San Bernardino

Board of Directors

President

Bill Alexander, Mayor
City of Rancho Cucamonga

Kelly Chastain, Council Member
City of Colton

Gary Ovitt, Mayor
City of Ontario

Paul Cook, Council Member
Town of Yucca Valley

Vice-President

Paul Biane, Supervisor
County of San Bernardino

Mark Nuaimi, Mayor
City of Fontana

Pat Gilbreath, Council Member
City of Redlands

Dennis Hansberger, Supervisor
County of San Bernardino

Jim Nehmens, Mayor
City of Adelanto

Bea Cortes, Council Member
City of Grand Terrace

Kurt Wilson, Mayor Pro Tem
City of Rialto

Bill Postmus, Supervisor
County of San Bernardino

Edward (Ted) Burgnon, Council Member
Town of Apple Valley

James Lindley, Council Member
City of Hesperia

Judith Valles, Mayor
City of San Bernardino

Clifford Young, Supervisor
County of San Bernardino

Lawrence Dale, Mayor
City of Barstow

Larry McCallon, Mayor Pro Tem
City of Highland

Jim Bagley, Mayor
City of Twentynine Palms

Patti Aguiar, Supervisor
County of San Bernardino

Neal Hertzmann, Council Member
City of Big Bear Lake

Robert Christman, Council Member
City of Loma Linda

John Pomierski, Mayor
City of Upland

Anne Mayer, Caltrans
Ex-Officio Member

Eunice Ulloa, Mayor
City of Chino

Paul Eaton, Mayor
City of Montclair

Mike Rothschild, Council Member
City of Victorville

Norman R. King
Executive Director

Gwenn Norton-Perry, Council Member
City of Chino Hills

Rebecca Valentine, Council Member
City of Needles

Richard Riddell, Mayor
City of Yucaipa

**San Bernardino Associated Governments
County Transportation Commission
County Transportation Authority
County Congestion Management Agency
Service Authority for Freeway Emergencies**

Board of Directors

AGENDA

**May 5, 2004
9:30 a.m.**

Location:

Norman Feldheim Library, Mary Kellogg Room
555 Sixth Street, San Bernardino

<p>To obtain additional information on any items, please contact the staff person listed under each item. You are encouraged to obtain any clarifying information prior to the meeting to allow the Board to move expeditiously in its deliberations. Additional meeting procedures and agenda explanations are attached to the end of this agenda.</p>

Call to Order - 9:30 a.m.
(Meeting chaired by Mayor Bill Alexander)

- I. Attendance
- II. Announcements
- III. Agenda Notices/Modifications – Vicki Watson

Notes/Actions:

1. Possible Conflict of Interest Issues for the SANBAG Board Meeting of May 5, 2004. Pg. 12

Note agenda item contractors, subcontractors and agents, which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

[brd0405z-dmk.doc](#)

Consent Calendar

Consent Calendar items shall be adopted by a single vote unless removed by Board member request. Items pulled from the consent calendar will be brought up under Agenda Item 27.

Administrative Matters

2. **Board of Directors Attendance Roster** [brdatt04.doc](#) Pg. 14
3. **Procurement Report for March 2004** Pg. 18
Receive Monthly Procurement Report. **Susan Van Note**
This item was unanimously received by the Administrative Committee on April 14, 2004. [BRD0405a-svn.doc](#)
4. **SANBAG's Office Building at 472 N. Arrowhead** Pg. 20
 1. Approve Appraisal No. 04-04, dated February 11, 2004, copies of which are on file with the County of San Bernardino Real Estate Services Department (RESO) and SANBAG.
 2. By a four-fifths vote, adopt Resolution No. 04-017 declaring the property located at 472 N. Arrowhead, San Bernardino, is no longer necessary and is surplus to the needs of SANBAG, stating SANBAG's intent to sell the property, and directing the San Bernardino County Real Estate Services Department to conduct the sale. **Susan Van Note**
This item was unanimously recommended for approval by the Administrative Committee on April 14, 2004. [BRD0405c-svn.doc](#)
5. **SANBAG Policy 10110, Employment Status and Classification and Policy 10107, Compensation Administration** Pg. 24
Approve amendments to SANBAG Policy 10110, Employment Status and Classification, and Policy 10107, Compensation Administration, implementing provisions relative to Professional/Administrative and Senior Management Group ranges and advancement. **Deborah Barmack**
This item was reviewed by the Administrative Committee and Board of Directors in March 2004. [BRD0405C-DRB.doc](#)

Consent Calendar Continued....**Program Support/Council of Govts.****6. Printing Services for Measure I Public Information Materials** Pg. 28

Approve Sole Source Purchase Order No. 0490 with Clearwater Graphics for printing of Measure I public information materials in an amount not to exceed \$70,000 as specified in the Financial Impact Section. **Cheryl Donahue** [BRD0405A-CDD.DOC](#)

This item was reviewed and unanimously recommended for approval by the Administrative Committee on April 14, 2004.

7. Measure I Public Information Materials Mailing Services Pg. 36

Approve Sole Source Purchase Order No. 0491 with Dan Siwulec Communications Marketing, Inc. for mailing services for Measure I public information materials in an amount not to exceed \$45,000 as specified in the Financial Impact Section. **Cheryl Donahue**

This item was reviewed and unanimously recommended for approval by the Administrative Committee on April 14, 2004.

[BRD0405B-CDD.DOC](#)

Regional & Quality of Life Programs**8. Amendment to Contract No. 02-001 with Professional Communications Network (PCN) for call answering center (CAC) services** Pg. 42

Approve Amendment No. 2 to Contract No. 02-001 and exercise the option to extend the contract for one year with PCN for CAC services, through June 30, 2005. The total contract amount will remain unchanged at an amount not to exceed \$898,126.

Michelle Kirkhoff and Kelly Lynn [BRD0405a-mmk.doc](#)

This item was reviewed and unanimously recommended for approval by the Plans and Program Committee on April 21, 2004. The San Bernardino SAFE Counsel has approved this amendment as to form.

9. Amendment to a reimbursement contract with the Riverside County Transportation Commission (RCTC) for call answering center (CAC) services Pg. 48

Approve Amendment No. 1 to Contract No. 02-006 with RCTC for reimbursement of revenue for their share of CAC services, extending the contract through June 30, 2005. The total contract amount will remain as is, not to exceed \$359,251.00.

Michelle Kirkhoff and Kelly Lynn [BRD0405b-mmk.doc](#)

This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on April 21, 2004. This item has been reviewed by SAFE Counsel.

Consent Calendar Continued....**Regional & Quality of Life Programs (Cont.)**

10. **Request for Proposals (RFP) for Digital Cellular Service for Regional Call Box Programs** Pg. 54

Approve a Tri-County RFP (No. 05-002) for Digital Cellular Service for Call Boxes in Riverside, San Bernardino and San Diego Counties. **Michelle Kirkhoff and Kelly Lynn**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on April 21, 2004. The San Bernardino SAFE Counsel has approved the draft RFP and contract as to form.

[BRD0405c-mmk.doc](#)

11. **Amendment to the Riverside County Transportation Commission (RCTC) contract for the implementation of Trip Reduction/Ridesharing services** Pg. 60

Approve Amendment No. 1 to Contract No. 04-003 to increase the Contract amount by \$1,074,820, and extend the contract for one additional year, through June 30, 2005. The total contract amount will not exceed \$2,180,170. **Michelle Kirkhoff and Kelly Lynn**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on April 21, 2004. SANBAG Counsel has approved the contract as to form. [BRD0405d-mmk.doc](#)

12. **Amendment No. 4 to Continuing Cooperative Agreement No. 02-046 with the Southern California Association of Governments (SCAG) for Pass-Through and Management of Federal Metropolitan Planning (OWP) Funds** Pg. 68

1) Approve Amendment No. 4 to Continuing Cooperative Agreement No. 02-046 between SCAG and SANBAG to address use of in-kind local match and SCAG Overall Work Program (OWP) funding of Freight Movement Analysis, Subregional Model Development, Regional Transportation Plan (RTP) Development and Growth Visioning, Land Use Data, and General Plan Data in the amount of \$187,250 and SANBAG matching funds in the amount of \$24,263.

2) Approve an amendment to the Fiscal Year 2003-2004 SANBAG Budget as follows:

Reduce Task No. 0420200, Transportation Modeling and Forecasting, in the amount of \$11,264.

Increase Task No. 0440942, Data Development and Maintenance, in the amount of \$10,000. **Ty Schuiling**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on April 21, 2004. SANBAG Counsel has approved the agreement as to form. [brd0405a-ty.doc](#)

Consent Calendar Continued....

Regional & Quality of Life Programs (Cont.)

13. Amendment to extend period of performance for Contract No. 04-037 with Cambridge Systematics, Inc for the Development Mitigation Nexus Study. Pg. 74

Approve amendment No. 1 to extend the period of performance for Contract No. 04-037 with Cambridge Systematics, Inc. for the Development Mitigation Nexus Study. **Ty Schuiling**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on April 21, 2004. [brd0405a-ss.doc](#)

14. SANBAG Resolution No. 04-022 certifying that the list of transportation projects submitted by San Bernardino Associated Governments for inclusion in the Southern California Association of Governments' Fiscal Year (FY) 2004/05-2009/10 Regional Transportation Improvement Program (RTIP) is financially constrained. Pg. 80

Approve SANBAG Resolution No. 04-022. **Ty Schuiling**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on April 21, 2004. [brd0405a-lep.doc](#)

15. Award of Pre-allocated Transportation Enhancement Activities (TEA) Funding from Extension of TEA-21 Pg. 88

Approve an award of \$908,000 in TEA funds to the City of Upland for the Pacific Electric Trail project. **Ty Schuiling**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on April, 21, 2003. [brd0405b-lep.doc](#)

Subregional Transportation Planning & Prog.

16. North County Combined Highway Corridors Study Pg. 90

Support the adoption of the North County Combined Highway Corridors Study by Los Angeles County Metropolitan Transportation Authority Board of Directors. **Andrew Green**

This item was reviewed and support was unanimously recommended by the Mountain/Desert Committee on April 16, 2004. [BRD0405A-ADG.DOC](#)

Consent Calendar Continued....**Legislative Matters**

17. **Update on House TEA-21 Reauthorization Efforts** Pg. 96

Receive summary report on H.R. 3550, TEA-LU.

Kristine Leathers

This item was reviewed by the Administrative Committee on April 14, 2004. [BRD0405B-kal.doc](#)

18. **AB 2498 (Longville)** Pg. 102

Receive update on SANBAG sponsored legislation AB 2498, which would clarify the intent of the State's funding program for freeway service patrol (FSP). **Kristine Leathers**

This item was reviewed by the Administrative Committee on April 14, 2004. It has also been reviewed by SANBAG counsel and was part of the Board adopted 2004-05 State Legislative Agenda. [BRD0405A-kal.doc](#)

Project Development

19. **Amendment to Contract 99-029 with HNTB Corporation for SR 210 Segment 10 Design Services** Pg. 108

Approve Amendment No. 6 to Contract 99-029 with HNTB Corporation extending the period of performance to December 31, 2004 and increasing the contract in the amount of \$71,900 as detailed in the Financial Impact Section. **Darren Kettle**

This item was reviewed and recommended for approval 10-0-3 (Biane, Pomierski, and Wilson abstained), by the Major Projects Committee on April 15, 2004. [brd0405c-dmk.doc](#)

20. **Amendment No. 2 to Cooperative Agreement No. 94-039 with Caltrans for right of way acquisition for I-10 widening project** Pg. 114

1.) Approve Amendment No. 2 to Cooperative Agreement No. 94-039 with Caltrans for right of way acquisition on the I-10 widening project extending the agreement to June 30, 2004 and increasing the contract by \$1,500,000 for a total of \$4.1 million as specified in the financial impact section.

2.) Approve budget amendment to increase task 0437000 in the amount of \$1,500,000. Funding source is Measure I Valley Major Projects Fund as detailed in the Financial Impact Section.

Darren Kettle

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on February 12, 2004. [brd0405g-dmk.doc](#)

Consent Calendar Continued....**Project Development (Cont.)**

- 21. Approval of Local Right of Way Agreements Nos. 04-031 and 04-044 with Caltrans for Interstate 215 Right of Way Capital funding.** Pg. 120

1. Rescind Contribution Agreement Nos. 04-031 and 04-043 with Caltrans and 2003/04 SANBAG budget amendment associated with these agreements, and

2. Approve Right of Way Agreement No. 04-059 with Caltrans to provide federal Congestion Mitigation/Air Quality (CMAQ) funds in the amount of \$10.518 million and committing local match \$1,362,718 of Measure I Major Projects funds for Interstate 215, Segment 3 Right of Way (ROW) Capital, and

3. Approve Right of Way Agreement No. 04-060 with Caltrans to provide federal Congestion Mitigation/Air Quality (CMAQ) funds in the amount of \$3.5 million and committing local match \$453,462 of Measure I Major Projects funds for Interstate 215, Segment 1 Right of Way (ROW) Capital, and

4. Approve budget amendment to SANBAG FY 2003/04 Budget Task Number 0425300 in the amount of \$15,834,180 million as detailed in the Financial Impact Section. **Darren Kettle**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on April 15, 2004.

[brd0405d-dmk.doc](#)

Transportation Programs & Fund Administration

- 22. Federal Transit Administration (FTA) Section 5310 Applications for Program Year 2004/2005** Pg. 134

1. Adopt prioritization of applications received from the Fort Mojave Social Services, Omnitrans and Redlands Community Hospital.

2. Approve amending the Regional Transportation Improvement Program (RTIP) to include projects applied for by San Bernardino County entities; and

3. Adopt Resolution 04-023 certifying the projects recommended for funding are consistent with the Regional Transportation Plan. **Victoria Baker**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on April 21, 2004. [BRD0405a-vlb.doc](#)

DISCUSSION ITEMS

Administrative

23. SANBAG 2004/2005 Proposed Budget Pg. 142

1. Presentation of the SANBAG 2004/2005 Proposed Budget; and
2. Receive the SANBAG Work Program for 2004/2005 for SANBAG Senior Management. **Susan Van Note**

All five of the SANBAG policy committees have reviewed task descriptions and budgets for activities under their purview. The Administrative Committee also reviewed elements related to agency wide programs, expenditures, revenue projections and the fringe/indirect allocations. The Administrative Committee recommended that the Proposed Budget be presented for Board consideration. [brd0405b-svn.doc](#)

Transportation Programs & Fund Administration

24. Measure I Renewal Expenditure Plan Pg. 144

1. Approve Exhibit A, Transportation Expenditure Plan, for circulation to cities and the County;
3. Recommend adoption of a resolution by each jurisdiction approving the Measure I Transportation Expenditure Plan.
Norm King

The proposed Transportation Expenditure Plan has been developed and recommended for approval by the Measure I Ad Hoc Committee. This item was reviewed and unanimously recommended for approval by the SANBAG Major Projects, Mountain/Desert, and Plans and Programs Committees during the month of April. [BRD0405D-DRB.doc](#)

Subregional Transportation Planning & Programming.

25. Mountain Travel Demand Model Pg. 164

Approve Amendment No. 1 to sole source Contract No. 03-059 with Wilbur Smith Associates to extend the period of performance from June 30, 2004, to October 31, 2004. **Deborah Barmack**

This item was reviewed and unanimously recommended for approval by the Mountain/Desert Committee on April 16, 2004. [BRD0405A-DRB.DOC](#)

Discussion Items Continued....**Transit/Commuter Rail****26. Sole Source Professional Services Contract – Public and Specialized Transit Planning Pg. 170**

Approve Contract 05-003 with the firm of A Menninger Mayeda Alternative (AMMA) to provide public and specialized transit planning services in an amount not to exceed \$151,500 over two years as specified in the Financial Impact Section. **Mike Bair**

This item was reviewed and unanimously recommended for approval by the Administrative Committee on April 14, 2004.

[BRD0405a-mab.doc](#)

Other Matters**27. Consent Calendar Items Pulled for Discussion**

Items pulled from the consent calendar shall be taken under this item in the order they were presented on the calendar.

28. Agency Reports/Committee Memberships

Commuter Rail Report Pg. 182

Council Member Patricia Gilbreath

South Coast Air Quality Management Report Pg. 186

Council Member Dennis Yates

SCAG Committees Pg. 190

SCAG Regional Council

SCAG Standing Committees

Administration Committee

Implementation Committee

Planning Committee

SCAG Policy Committees

Community, Economic and Human Development

Energy and Environment

Transportation and Communications

SANBAG Policy Committees Pg. 192

Acronym List [Acronym List.doc](#) Pg. 194

Public Comment**29. Additional Items from Board Members****30. Brief Comments by the General Public**

CLOSED SESSION

Government Code Section 54957,
Public Employee Evaluation for Position of Executive Director; and
Government Code Section 54957.6
Conference with Labor Negotiator Bill Alexander regarding position of
Executive Director.

Government Code Section 54956.9
Conference with Legal Counsel – Existing Litigation
MCM Construction v. State of California, Caltrans, et al.
Office of Administrative Hearings Case No. A-0069-99

31. Executive Director Employment Contract Amendment Pg. 196

Approve Amendment No. 7 to the Executive Director Employment
Contract. **Bill Alexander**

**This item will be reviewed by the Board of Directors on
May 5, 2004. [BRD0405B-DRB.doc](#)**

ADJOURNMENT

Complete packages of the SANBAG agenda are available for public review at the SANBAG offices.
Staff reports for items may be made available upon request. For additional information call,
(909) 884-8276.

Meeting Procedures

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the San Bernardino Associated Governments (SANBAG) Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the SANBAG Board of Directors and Policy Committees.

Accessibility

The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 472 N. Arrowhead Avenue, San Bernardino, CA.

Agendas – All agendas are posted at 472 N. Arrowhead Avenue, San Bernardino at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed at the SANBAG offices located at 472 N. Arrowhead Avenue, San Bernardino.

Agenda Actions – Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

Closed Session Agenda Items – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

Public Testimony on an Item – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the SANBAG Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item when an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

Agenda Times – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

Public Comment – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject with SANBAG's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. The time limits established in Rule #4 still apply.*

Disruptive Conduct – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for SANBAG meetings. Your cooperation is appreciated!*

Minute Action

AGENDA ITEM 1

Date: May 5, 2004

Subject: Information Relative to Possible Conflict of Interest

Recommendation * : Note agenda items and contractors/subcontractors, which may require member abstentions due to possible conflicts of interest.

Background: In accordance with California Government Code 84308, members of the SANBAG Board may not participate in the any action concerning a contract where they have received a campaign contribution of more than \$250 in the prior twelve months from an entity or individual, except for the initial award of a competitively bid public works contract. This agenda contains recommendations for action relative to the following contractors:

Item No.	Contract No.	Principals & Agents	Subcontractors
6	P.O. 0490	Clearwater Graphics <i>Joe Benites</i> <i>Francine Harlow</i>	None
7	P.O. 0491	Dan Siwulec Communications Marketing, Inc. <i>Dan Siwulec</i>	None
8	02-001-02	Professional Communications Network (PCN) <i>Jeff White, Vice President</i>	None
13	04-037	Cambridge Systematics, Inc. <i>Chris Wornum</i>	None

*

Approved
San Bernardino Associated Governments
Board of Directors

Date

Moved: *Second:*

In Favor: *Opposed:*

Witnessed: _____

19	99-029-06	HNTB <i>Dave Anderson</i>	DMJM+Harris Associated Engineers Ludwig Engineering AEI CASC MCE Group
25	03-059	Wilbur Smith Associates <i>William Hurrell, Regional VP</i>	None
26	05-003	A Menninger Mayeda Alternative (AMMA) <i>Heather Menninger</i>	None

Financial Impact: This item has no direct impact on the SANBAG budget.

Reviewed By: This item is prepared monthly for review by SANBAG Board and Committee members.

BOARD OF DIRECTORS ATTENDANCE ROSTER - 2004

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Patti Aguiar		X	X	X								
Bill Postmus	X	X		X								
Paul Biane	X	X	X	X								
Dennis Hansberger	X	X		X								
Clifford Young			X	X								
Jerry Eaves												
Lawrence E. Dale	X	X	X	X								
Neal Hertzmann	X	X	X	X								
Eunice Ulloa	X	X	X	X								
Gwenn Norton-Perry	X	X	*									
Kelly Chastain	X	X	X	X								
Mark Nuaimi	X	X	X	X								
Bea Cortes	X	X	X	X								
James Lindley	X	X	X	X								
Larry McCallon		X	X	X								
Brad Sundquist	X											
Edward (Ted) Burgnon		X	X	X								
Robert Christman	X	X	X	X								

X - indicates member attended meeting.

* - indicates alternate member attended meeting.

Crossed out box indicates member is not a Board Member.

** - indicates new member

BOARD OF DIRECTORS ATTENDANCE ROSTER – 2004

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Paul Eaton	X	X	X	X								
Rebecca Valentine	X	X	X	X								
Gary Ovitt	X	X	X	X								
Bill Alexander	X	X	X	X								
Pat Gilbreath	X	X	X	X								
Kurt Wilson	X	X	X	X								
Judith Valles	*	X	*	X								
Jim Bagley	X	X										
John Pomierski	X	X										
Mike Rothschild	X	X	X	X								
Dick Riddell	X	X	X	X								
Paul Cook	X	X	X	X								
Jim Nehmens	X	X	X									
Leonard Paulitz Ex-Officio Member/Alternate	X	X										
Anne Mayer Ex-Official Member	X	X	X	*								

X - indicates member attended meeting.

* - indicates alternate member attended meeting.

Crossed out box indicates member is not a Board Member.

** - indicates new member

Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: Procurement Report for March 2004

Recommendation:* Receive Monthly Procurement Report.

Background: The Board of Directors approved the Contracting and Procurement Policy (Policy No. 11000) on January 3, 1997. The Executive Director, or his designee, is authorized to approve Purchase Orders up to an amount of \$25,000. All procurements for supplies and services approved by the Executive Director, or his designee, in excess of \$5,000 shall be routinely reported to the Administrative Committee and to the Board of Directors.

Attached are the purchase orders in excess of \$5,000 to be reported to the Board of Directors for the month of March 2004.

Financial Impact: This item imposes no impact on SANBAG's FY 2003/04 Budget. Presentation of the monthly procurement report will demonstrate compliance with the Contracting and Procurement Policy (Policy No. 11000).

Reviewed By: This item was unanimously received by the Administrative Committee on April 14, 2004.

Responsible Staff: Susan Van Note, Chief Financial Officer

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Approved
San Bernardino Associated Governments
Board of Directors

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* 0

Witnessed: _____

PURCHASE ORDERS ISSUED FOR MARCH 2004

P.O. #	Vendor	Purpose	Sole Source Y/N	Amount
0478	Yohko Kobayashi-Arnett ATT	Bldg. Lease Ext. at 444 N. Arrowhead to 5/20/04	Y	\$ 25,000.00
		TOTAL PURCHASE ORDERS ISSUED		\$ 25,000.00

Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: SANBAG's Office Building at 472 N. Arrowhead

Recommendation:*
1. Approve Appraisal No. 04-04, dated February 11, 2004, copies of which are on file with the County of San Bernardino Real Estate Services Department (RESO) and SANBAG.
2. By a four-fifths vote, adopt Resolution No. 04-017 declaring the property located at 472 N. Arrowhead, San Bernardino, is no longer necessary and is surplus to the needs of SANBAG, stating SANBAG's intent to sell the property, and directing the San Bernardino County Real Estate Services Department to conduct the sale.

Background: In August of 1990, the SANBAG Board of Directors approved the purchase of the building at 472 N. Arrowhead to house SANBAG staff. In August of 2001, the Board directed staff to continue investigating the feasibility of moving in the Santa Fe Depot. On December 3, 2003, the Board of Directors approved contract 04-040 between SANBAG and the City of San Bernardino addressing the roles and responsibilities of the parties with respect to the security and maintenance at the Metrolink station and the arrangements for SANBAG's occupancy in the depot building and depot management issues.

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Approved
San Bernardino Associated Governments
Board of Directors

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

Upon completion of the renovations, SANBAG will relocate to the depot and will need to dispose of the currently owned building at 472 N. Arrowhead, San Bernardino. The building is no longer necessary for the purpose for which it was acquired.

SANBAG engaged the services of the County of San Bernardino's Real Estate Services Department to perform the appraisal and assist with the disposal of the building. The appraisal has been completed and the estimated Market Value of the building is \$300,000.

The proposed resolution declares the property to be surplus and authorizes the auction process. In the event the proposed resolution is adopted, staff will return to the Board for confirmation and acceptance of high bid.

Financial Impact: The minimum bid for this property will be \$270,000 and as the original loan for the purchase was paid by Measure I Major Projects, the funds will be returned to the MSI Major Projects fund balance to clear the remaining fund advancements. Staff oversight and RESD services are consistent with SANBAG's 03/04 budget, TN - Indirect, Funding – Indirect Allocation

Reviewed By: This item was reviewed and unanimously recommended for approval by the Administrative Committee on April 14, 2004.

Responsible Staff: Susan Van Note, Chief Financial Officer

Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: SANBAG Policy 10110, Employment Status and Classification and Policy 10107, Compensation Administration

Recommendation:* Approve amendments to SANBAG Policy 10110, Employment Status and Classification, and Policy 10107, Compensation Administration, implementing provisions relative to Professional/Administrative and Senior Management Group ranges and advancement.

Background: On April 7, 2004, the SANBAG Board of Directors approved the creation of range series for the Professional/Administrative group and a new range for Senior Management Group. Implementation of these ranges is addressed in SANBAG Policy 10110 and 10107. The following amendments are recommended for inclusion in the policies as stated below.

Policy 10110, Employment Status and Classification, is to be amended to include paragraph B4 as indicated in **bold**:

B. Administrative/Professional Staff

1. Professional work requires knowledge in a field of science or learning characteristically acquired through education, training, and experience equivalent to a bachelor's or higher degree with major study in or pertinent to the specialized field.

Work is professional when it requires the exercise of discretion, judgment, and personal responsibility for the application of an organized body of knowledge that is constantly

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studied to make new discoveries and interpretations, and to improve data, materials, and methods.

2. Administrative work involves the exercise of analytical ability, judgment, discretion, and personal responsibility, and the application of a substantial body of knowledge of principles, concepts, and practices applicable to one or more fields of administration and management. While these positions do not require specialized education, they do involve the type of skills (analytical, research, writing, judgment) typically gained through a college level education, or through progressively responsible experience.

Employees engaged in administrative work are concerned with analyzing, evaluating, modifying, and developing the basic programs, policies, and procedures that facilitate the work of the Agency and its programs. Employees apply knowledge of administrative analysis, theory, and principles in adapting practices to the unique requirements of a particular program. Professional/administrative staff responsibilities may include supervisory responsibilities.

3. Professional/Administrative staff personnel serve at the pleasure of the appointing authority and may be terminated at any time without advance notice and without any hearing or grievance rights.

4. Administrative/Professional Group classifications have an established series. Establishment of the classification series addresses SANBAG's practice of hiring based on an individual's personal skills and growth potential and then providing opportunity for advancement as the individual gains specific knowledge and expertise in specialty areas.

Policy 10107, Compensation Administration, is to be amended to include paragraph 2b thru 3c as indicated in **bold**:

2. Administrative/Professional Staff

a. New administrative/professional staff employees may be eligible to receive a one-step increase following satisfactory completion of their initial 1040 service hours in the position and upon recommendation of the supervisor. Administrative/professional staff may be eligible for subsequent step advancement 2080 service hours thereafter.

b. Administrative/Professional Group classifications have an established series. (Refer to Policy 10110.)

c. Step increases within a specific range are based upon job performance and are only authorized when job performance results are excellent/exceptional.

d. The Executive Director is authorized to approve advancement in the series within the first three ranges. Advancement from one range in a series to the next range in a series is not automatic. Advancement to the next range of each series is considered only in the case of exceptional

performance and a determination that the higher range is consistent with the job requirements as established by the agency.

e. Advancement to the exceptional range (top range of a series) is subject to consultation with and approval by the SANBAG Administrative Committee.

3. Senior Management Staff

a. The Senior Management ranges (refer to Policy 10110) allow for variation by position to acknowledge relative job market differential within the Senior Management Group.

b. Increases within a range are based upon job performance and are only authorized when job performance results are excellent/exceptional. Advancement within a range is not automatic.

c. The Executive Director is authorized to approve advancement within a range from 1% to 5%, based on job performance.

~~b. No employee in the Senior Management Group shall receive more than 5% increase in any one year.~~

Financial Impact: This item has no impact upon the adopted SANBAG budget.

Reviewed By: This item was reviewed by the Administrative Committee and Board of Directors in March 2004.

Responsible Staff: Deborah Robinson Barmack
Director of Management Services

Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: Printing Services for Measure I Public Information Materials

Recommendation:* Approve Purchase Order No. 0490 with Clearwater Graphics for printing of Measure I public information materials in an amount not to exceed \$70,000 as specified in the Financial Impact Section.

Background: As part of its Measure I public awareness efforts, SANBAG is preparing printed materials for San Bernardino County residents. The materials will provide information about transportation projects funded by Measure I and information about projects proposed for funding if Measure I is continued by voters beyond its 2010 expiration date. Three separate printed pieces are being prepared which will contain information of interest to the various geographical areas in this county.

SANBAG solicited bids from four local printing firms. Clearwater Graphics of Rancho Cucamonga was the lowest responsive bidder. Reference checks confirmed that this firm is well suited to perform this work in a timely, high quality manner.

The purchase order provides for the printing of a 17" x 22" folded brochure, an 11" x 17" folded brochure and an 8.5" x 11" jumbo postcard, with print runs of 440,000–445,000 each. Work will be under the direction of SANBAG staff,

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Measure I consultants Smith, Watts & Company and Measure I sub-consultants Townsend, Raimundo, Besler & Usher.

Financial Impact: The total purchase order amount is consistent with the approved 2003/2004 SANBAG budget. The funding source is Publications & Public Outreach, Task Number 0460500, Cost code 5551.

Reviewed By: This item was reviewed and unanimously recommended for approval by the Administrative Committee on April 14, 2004.

Responsible Staff: Cheryl Donahue, Public Information Officer

Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: Measure I Public Information Materials Mailing Services

Recommendation:* Approve Purchase Order No. 0491 with Dan Siwulec Communications Marketing, Inc. for mailing services for Measure I public information materials in an amount not to exceed \$45,000 as specified in the Financial Impact Section.

Background: As part of its Measure I public awareness efforts, SANBAG is preparing printed materials for San Bernardino County residents. The materials will provide information about transportation projects funded by Measure I and information about projects proposed for funding if Measure I is continued by voters beyond its 2010 expiration date. The services provided by this purchase order are for distribution of materials.

SANBAG solicited bids from three companies who were reported to have qualifications and performance history appropriate to this task. Dan Siwulec Communications Marketing, Inc. was the lowest bidder. The purchase order provides for provision of address files, preparation and sorting of the materials for mailing, and delivery of materials to the post office. Work will be under the direction of SANBAG, Measure I consultants Smith, Watts & Company and Measure I sub-consultants Townsend, Raimundo, Besler & Usher.

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Financial Impact: The total purchase order amount is consistent with the approved 2003/2004 SANBAG budget. The funding source is Publications & Public Outreach, Task Number 0460500, Cost Code 5544.

Reviewed By: This item was reviewed and unanimously recommended for approval by the Administrative Committee on April 14, 2004.

Responsible Staff: Cheryl Donahue, Public Information Officer

Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: Amendment to Contract No. 02-001 with Professional Communications Network (PCN) for call answering center (CAC) services.

Recommendation:* Approve Amendment No. 2 to Contract No. 02-001 and exercise the option to extend the contract for one year with PCN for CAC services, through June 30, 2005. The total contract amount will remain unchanged at an amount not to exceed \$898,126.

Background: **This is an amendment to an existing Agreement.** In February 2002, the San Bernardino and Riverside SAFEs began to jointly operate a private CAC through a San Bernardino contract with PCN. Since that time, the private CAC has responded to over 155, 600 call box calls and has provided an outstanding level of service to motorists traveling within these counties.

In general, 12% of all calls responded to by PCN are of an emergency nature and are transferred live to the California Highway Patrol (CHP – medical, fire accident and so on); 10% of all calls are considered non-emergency but require the immediate attention of CHP (freeway service patrol, pedestrians on the highway, and so on); 70% of all calls are requests for motorist assistance that the CAC handles (tow, out of gas, minor mechanical problems, and so on); and the balance of calls are test calls or inappropriate calls from motorists.

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The contract with PCN expires on June 30, 2004. The contract stipulated that two separate one-year options can be exercised, at the discretion of the SAFE. Attached is an amendment to the Contract to exercise the first option year to the original Contract.

The original contract was a three year term, with the first six months of expenses dedicated to program development and purchasing hardware and software. For the following two and a half years (balance of the contract term), for budgeting and contract purposes, it was assumed that 275,000 calls would be responded to during this period at the rate set forth in the contract. At this time, Staff assumed current call box call volume level to establish the total contract dollar amount. However, due to declining call box call volume into the CAC since call taking began, funds have not been expended at the rate anticipated. Therefore, there are sufficient funds remaining in the contract to cover the costs during FY 2004/2005.

The rate that PCN will invoice per call box call in FY 2004/2005 will increase slightly from the current contract rate of \$2.47 per call, to \$2.48 per call taken. Because several of PCN costs are variable and fluctuate from month to month, the SAFEs will reimburse PCN on a time and materials basis for those costs above and beyond those services included in the \$2.48 cost per call. As a result, the SAFE is anticipating that for FY 2004/2005 total call volume will be approximately 56,000 calls for the year.

Note that the Riverside SAFE will reimburse the San Bernardino SAFE for approximately 40% of these costs.

Financial Impact: The total amendment amount is \$0.00. The financial impact of this item is consistent with the draft FY 2004/2005 budget. The funding source is Local Fund – Riverside SAFE Reimbursements and Department of Motor Vehicle Registration Fees (TN 0570205).

Reviewed By: This item was reviewed and unanimously recommended for approval by the Plans and Program Committee on April 21, 2004. The San Bernardino SAFE Counsel has approved this amendment as to form.

Responsible Staff: Michelle Kirkhoff, Director of Air Quality/Mobility Programs
Kelly Lynn, Air Quality/Mobility Programs Analyst

Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: Amendment to a reimbursement contract with the Riverside County Transportation Commission (RCTC) for call answering center (CAC) services.

Recommendation:* Approve Amendment No. 1 to Contract No. 02-006 with RCTC for reimbursement of revenue for their share of CAC services, extending the contract through June 30, 2005. The total contract amount will remain as is, not to exceed \$359,251.00.

Background: **This is an amendment to an existing Contract.** In February 2002, the San Bernardino and Riverside SAFEs began to jointly operate a private CAC through a San Bernardino contract with PCN. Since that time, the private CAC has responded to over 155,600 call box calls and has provided an outstanding level of service to motorists traveling within these counties.

The contract with the CAC operator (Professional Communications Network or PCN) expires on June 30, 2004. The contract stipulated that two separate one-year options can be exercised, at the discretion of the SAFEs.

Pending Committee and Board approval to exercise the option with PCN, attached is an amendment to the RCTC Contract to extend their revenue agreement as well. The anticipated CAC costs for Fiscal Year (FY) 2004/2005 are anticipated to not exceed \$188,188.00. RCTC's share is based on actual costs incurred. Over the past three years, RCTC's share of PCN's costs has been approximately 40% of

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total costs incurred. Therefore, RCTC's share of the FY 2004/2005 PCN expenses is estimated to be \$75,275.

Because of declining call volume over the past several years due to the expanded use of mobile cellular phones, there is no need to increase the RCTC contract amount.

Financial Impact: The total amendment amount is \$0.00 for a total RCTC Contract amount of \$359,251.00. It is estimated, that services provided by the CAC in FY 2004/2005 will result in revenue from RCTC of \$75,275 and this revenue impact is consistent with the draft FY 2004/2005 budget. TN 0570205.

Reviewed By: This item was reviewed and unanimously recommended for approval by the Plans and Program Committee on April 21, 2004. This item has been reviewed by SAFE Counsel.

Responsible Staff: Michelle Kirkhoff, Director of Air Quality/Mobility Programs
Kelly Lynn, Air Quality/Mobility Programs Analyst



Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: Request for Proposals (RFP) for Digital Cellular Service for Regional Call Box Programs

Recommendation:* Approve a Tri-County RFP (No. 05-002) for Digital Cellular Service for Call Boxes in Riverside, San Bernardino and San Diego Counties.

Background: The San Bernardino Service Authority for Freeway Emergencies (SAFE) operates approximately 1,623 call boxes on freeways and highways in San Bernardino County. Each call box is a battery powered, solar charged roadside terminal with a microprocessor and built-in analog cellular telephone. The call box network has assisted over 1.26 million calls since inception, and currently handles approximately 50,000 calls per year. The current provider of cellular service is AT&T Wireless Services (AWS), and the contract with AWS will expire on June 30, 2005.

Over the past few years AWS has stated they will no longer provide analog services, due to a Federal Communications' Commission ruling permitting analog cellular service providers to phase out their analog network. Therefore, AWS has been removing more and more analog cell sites from their system. As a result, individual call box locations have experienced dropped calls or no connection, especially in the more rural areas of the county. Other SAFEs throughout the State have also seen a degradation in call box cellular service, and realize that it is inevitable that all call boxes will have to transition to another form of cellular service in the near future.

There are currently several providers of digital cellular service throughout the State, and these providers have been in contact with many of the SAFEs expressing interest

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in bidding on this service. Cellular service for call boxes is a very unique situation for cellular companies, because: 1. the call boxes are static and do not roam, 2. all call box cellular bills go to one address for invoicing purposes, and 3. call boxes do not need many of the advanced features now offered by digital cellular service (text messaging, photo relay, and so on). Because of the uniqueness of this type of service, the SAFEs have made it clear to the cellular companies that the SAFEs are interested in the current billing structure provided by AWS (a flat rate per call box per month). This is a very unique government business and many of the current digital cellular providers do not provide service to SAFEs. Therefore, the SAFEs believe that to capture the cellular industry's attention and to generate the best rates possible, several of the larger SAFEs may consider releasing a joint RFP at one time.

Attached is the scope of services developed by the Riverside, San Bernardino and San Diego SAFEs, requesting proposals for these types of services in one procurement mechanism. When proposals arrive, these three agencies will jointly evaluate the proposals, and enter into different contracts with different providers (based on the needs of the individual county call box programs). To date, all three agencies' counsels have reviewed the draft scope of services, RFP and model contract, and each will be taking the RFP individually to their respective Boards for approval to release. San Diego SAFE has agreed to be the central point for releasing the RFP, conducting the pre-proposal meeting, answering questions and receiving the proposals.

Based on RFP schedule, the proposal will be released on May 14, 2004, and proposals are due on June 28, 2004. After evaluation, Staff will take the San Bernardino recommendation to the July Plans and Program Committee (PPC) and then to the August Board for review/approval. While this process is taking place, SAFE staff intends to also release an RFP to upgrade the call boxes so that a digital signal can be accepted. It is anticipated that the equipment upgrade RFP will be released early summer 2004, and a recommendation will be made to the Board no later than October 2004. Pending approval, the equipment upgrade would begin in late fall 2004. So the conversion from the AWS analog cellular contract to the digital contract would take place slowly over the next two fiscal years (FY).

Financial Impact: Funds have been budgeted in the FY 2004/2005 Budget, funding source Department of Motor Vehicle Registration Fees (TN 0570205). Funding for future year contracts will be budgeted accordingly.

Reviewed By: This item was reviewed and unanimously recommended for approval by the Plans and Program Committee on April 21, 2004. The San Bernardino SAFE Counsel has approved the draft RFP and contract as to form.

Responsible Staff: Michelle Kirkhoff, Director of Air Quality/Mobility Programs

Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: Amendment to the Riverside County Transportation Commission (RCTC) contract for the implementation of Trip Reduction/Ridesharing services.

Recommendation:* Approve Amendment No. 1 to Contract No. 04-003 to increase the Contract amount by \$1,074,820, and extend the contract for one additional year, through June 30, 2005. The total contract amount will not exceed \$2,180,170.

Background: **This is an amendment to an existing Contract.** Prior to 1993, all rideshare services (database management, ridematching and teleservices, employer outreach, and so on) were funded by Caltrans and the five southern County Transportation Commissions (CTCs) and implemented through a contract with Commuter Transportation Services (CTS). In 1993, SANBAG began its bi-county partnership with the Riverside County Transportation Commission (RCTC) for the implementation of a \$2 a day incentive program, known as *Option Rideshare*. In 1995, the core rideshare functions provided by CTS were merged into the Southern California Association of Governments (SCAG) and continued to be funded by the five CTCs. In Fiscal Year (FY) 2002/2003, SANBAG and RCTC elected to transfer most of the core rideshare services from SCAG to RCTC's contractor, Inland Transportation Services (ITS).

This past FY, SANBAG and RCTC have introduced many new and improved products and services into the market. Since the program and services are relatively stable, and there are no new contractors or changes needed for the

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delivery of these products and services, Staff are recommending amending and extending the current contract with RCTC for implementation in FY 2004/2005.

Attachment B outlines the FY 2004/2005 Scope of Work for the provision of these services. In summary, RCTC (through its contractor ITS) will provide the following services for San Bernardino County:

1. Option Rideshare incentive program and Team Ride reward program;
2. Technical and rideshare program assistance to county employers;
3. Maintenance of a regional commuter database;
4. Survey and rideguide dissemination;
5. Average Vehicle Ridership (AVR) surveys and calculations;
6. Teleservices function – responding to phone, FAX and internet inquiries from commuters and employers;
7. A variety of outreach and marketing campaigns, promotional efforts;
8. Special projects, such as implementing a new park'n'ride lease program; and
9. Regional coordination and participation on regional/state committees.

The only anticipated rideshare element to be implemented in FY 2004/2005 and not implemented through the RCTC contract, will be certain regional marketing activities. These activities will be implemented on behalf of the region by the Los Angeles County Metropolitan Transportation Authority (MTA). These services are estimated to be less than \$15,000, have been included in the draft FY 2004/2005 Budget and implemented through a purchase order with MTA.

The county trip reduction/rideshare program is funded through federal Congestion Mitigation/Air Quality (CMAQ) funds, which were awarded by the SANBAG Board through a competitive process. The rideshare program funding has also been programmed into the Regional Transportation Improvement Program (RTIP) and included in the Regional Transportation Plan (RTP). As a transportation control measure, ridesharing strategies are needed in order to assist the region in meeting its air quality and transportation conformity goals.

Financial Impact: The total amendment amount is \$1,074,820.00 for a total contract amount of \$2,180,170. The financial impact of this item is consistent with the proposed FY 2004/2005 SANBAG Budget. Funding sources are Measure I -- Valley Traffic Management and Environmental Enhancement Funds (\$125,052.00) and CMAQ funds (\$949,768.00). Task Numbers vary, and are 0540607/12/13/21/22/23/30.

Reviewed By: This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on April 21, 2004. SANBAG Counsel has approved the contract as to form.

Responsible Staff: Michelle Kirkhoff, Director of Air Quality/Mobility Programs
Kelly Lynn, Air Quality/Mobility Programs Analyst

Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: Amendment No. 4 to Continuing Cooperative Agreement No. 02-046 with the Southern California Association of Governments (SCAG) for Pass-Through and Management of Federal Metropolitan Planning (OWP) Funds

Recommendation: * 1) Approve Amendment No. 4 to Continuing Cooperative Agreement No. 02-046 between SCAG and SANBAG to address use of in-kind local match and SCAG Overall Work Program (OWP) funding of Freight Movement Analysis, Subregional Model Development, Regional Transportation Plan (RTP) Development and Growth Visioning, Land Use Data, and General Plan Data.

2) Approve an amendment to the Fiscal Year 2003-2004 SANBAG Budget as follows:

Reduce Task No. 0420200, Transportation Modeling and Forecasting, in the amount of \$11,264.

Increase Task No. 0440942, Data Development and Maintenance, in the amount of \$10,000.

Background: The Continuing Cooperative Agreement between SCAG and SANBAG is a year-to-year legal instrument for the management of OWP funds that can remain unchanged except for scopes of work and annual funding amounts. The basic funding agreement between SCAG and SANBAG for Fiscal Year 2003-2004 was Amendment 3 to Agreement No. 02-046, approved September 3, 2003. The

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attached Amendment No. 4 to Agreement No. 02-046, for which approval is requested, merely reflects an adjustment of funding to better reflect rates of expenditure and project priorities. The net effect is a reduction in OWP funding for Fiscal Year 2003-2004 of \$1,264.

Financial Impact: The Overall Work Program funds made available to SANBAG through Agreement No. 02-046 supplement funds budgeted in these tasks from other revenue sources, principally Local Transportation Fund – Planning; Planning, Programming and Monitoring Fund; and the Measure I Traffic Management and Environmental Enhancement Program. This amendment is principally a transfer of funds between tasks to better match revenues with rates of progress and expenditure.

Reviewed By: This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on April 21, 2004. SANBAG Counsel has approved the agreement as to form.

Responsible Staff: Ty Schuiling, Director of Planning and Programming

Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: Amendment to extend period of performance for Contract No. 04-037 with Cambridge Systematics, Inc for the Development Mitigation Nexus Study.

Recommendation:* Approve amendment No. 1 to extend the period of performance for Contract No. 04-037 with Cambridge Systematics, Inc. for the Development Mitigation Nexus Study.

Background: On December 3, 2003, the SANBAG Board of Directors approved Contract No. 04-037 in the amount of \$30,000 with Cambridge Systematics to assist SANBAG staff in preparing the Development Mitigation Nexus Study. The purposes of the nexus study are to define legally justifiable fair-share levels of development mitigation for regional transportation improvements, and to assess the need to augment existing local programs to reach fair-share mitigation levels for regional transportation improvements. The nexus study also supports consideration of legal alternatives to the current Congestion Management Program (CMP) Traffic Impact Analysis (TIA) process, including the elimination of the requirement for developers to prepare CMP TIA reports and the associated project-specific “fair share” calculations. SANBAG staff has conducted the technical work for the nexus study, and Cambridge Systematics has provided advisory assistance and peer review of staff’s work.

Technical Memorandum No. 1, Preliminary Development Mitigation Nexus Study Analysis and Assumptions, dated February 6, 2004, was distributed for review and comment to the Development Mitigation Ad Hoc Committee, the Nexus Study Task Force, and local jurisdictions. Comments on this document have been

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received over the last two months from public and private sector stakeholders, and modifications have been made to the nexus study technical analysis in response to those comments. Additional stakeholder meetings are planned and further refinements are expected as updated information becomes available. Efforts to date have supported development of ordinance language and estimates of fair-share mitigation revenues for inclusion in the draft Measure I ordinance and expenditure plan. These are discussed in a separate agenda item.

Under the current proposal, the absolute deadline for completion of the nexus study is defined by the schedule for updating the Congestion Management Program for approval by the SANBAG Board of Directors in Fall 2005. Additional or updated information on growth rates, trip generation rates, and project costs is expected to become available in the interim, and it is staff's intent to incorporate any such refinements into the final nexus study as they become available.

The existing contract with Cambridge Systematics is scheduled to terminate in May 2004. However, because SANBAG staff undertook much of the technical work on the nexus study, a significant portion of the \$30,000 consultant contract amount has been conserved. Staff is recommending that the contract be extended to June 30, 2005, the end of the fiscal year, so that the consultant can be available to provide advisory assistance and technical reviews throughout the process of finalizing the nexus study. It is proposed that such assistance would be obtained utilizing the unexpended balance of the contract, without any change to the contract cost.

- Financial Impact:*** This item poses no financial impact as the amendment is a no-cost time extension.
- Reviewed By:*** This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on April 21, 2004.
- Responsible Staff:*** Steve Smith, Principal Transportation Analyst
Ty Schuiling, Director of Planning and Programming

Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: SANBAG Resolution No. 04-022 certifying that the list of transportation projects submitted by San Bernardino Associated Governments for inclusion in the Southern California Association of Governments' Fiscal Year (FY) 2004/05-2009/10 Regional Transportation Improvement Program (RTIP) is financially constrained.

Recommendation:* Approve SANBAG Resolution No. 04-022.

Background: The 2004 RTIP is needed to incorporate projects that have recently received federal and state funds and require air quality modeling, and is required to be consistent with the 2004 RTP for projects to move ahead through the Local Assistance Federal Obligation process. The reauthorization of TEA-21 (Transportation Equity Act for the 21st Century) requires the RTIP *to be financially constrained* as a condition of federal approval.

In August 2003, SANBAG staff circulated the SCAG RTIP Guidelines to all local agencies in San Bernardino County. The SCAG Guidelines outline the federal requirement for projects to be included in the 2004 RTIP. SANBAG staff have developed the county's 2004 Transportation Improvement Program (TIP) submittal, including capacity and non-capacity projects, in response to local requests, which include local adoption of Council resolutions certifying the projects submitted for inclusion are financially constrained and that the projects are consistent with the adopted 2004 RTP. SANBAG has submitted the county TIP to the Southern California Association of Governments for inclusion in the FY 2004/05-2009/10 RTIP.

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The attached resolution, which certifies that San Bernardino Associated Governments' portion of the Regional Transportation Improvement Program is financially constrained, is the final document needed to complete the submittal process.

Financial Impact: This item has no direct financial impact on the SANBAG budget. Failure to adopt Resolution 04-022 could result in federal disapproval of the FY 2004/05-2009/10 Regional Transportation Improvement Program. The 2004 RTIP is expected to be approved and adopted by the final reviewing agency, FHWA, no later than September 30, 2004.

Reviewed By: This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on April 21, 2004.

Responsible Staff: Ty Schuiling, Director of Planning and Programming
Lisa Poe, Senior Transportation Analyst

Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: Award of Pre-allocated Transportation Enhancement Activities (TEA) Funding from Extension of TEA-21.

Recommendation:* Approve an award of \$908,000 in TEA funds to the City of Upland for the Pacific Electric Trail project.

Background: On August 6, 2003, the SANBAG Board approved set-asides for Congestion Mitigation and Air Quality (CMAQ), Regional Surface Transportation Program RSTP), and Transportation Enhancement Activities (TEA) projects from funding expected from TEA-21 reauthorization or extensions. SANBAG's action prospectively allocated TEA funds to six projects with a total value of \$18.7 million, including a preallocation of 4.5 million dollars for the entire Pacific Electric Trail project from the cities of Montclair and Upland to San Bernardino. In addition, each jurisdiction through which the project passes has committed to providing matching funds for the segment within its city limits.

At this time, Upland has completed the first phase of its project with TEA-21 Congestion Mitigation and Air Quality (CMAQ) funds and is now ready to construct Phase II of the project. Upland estimates the cost of Phase II to be \$1,195,000, therefore SANBAG staff is recommending that \$908,000 of TEA dollars be allocated to the City of Upland for their portion of this project with the City supplying \$287,000 in local match.

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San Bernardino Associated Governments
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Financial Impact: This item is consistent with the approved Fiscal Year 2003/04 SANBAG Budget.

Reviewed By: This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on April, 21, 2003

Responsible Staff: Ty Schuiling, Director of Planning and Programming

Minute Action

AGENDA ITEM: ____

Date: May 5, 2004

Subject: North County Combined Highway Corridors Study

Recommendation:* Support the adoption of the North County Combined Highway Corridors Study by Los Angeles County Metropolitan Transportation Authority Board of Directors.

Background: In August 2001, the North County Combined Highway Corridors Study by the Los Angeles County Metropolitan Transportation Authority (MTA) was commenced to develop a multi-modal transportation plan for north Los Angeles County for both short (2010) and long-term (2025) needs. The study was initially split into two parts. Part I examined the Interstate 5 (I-5) and State Route 14 (SR-14) corridors, focusing on north-south traffic from the heart of Los Angeles through north county. Part II examined the State Route 138 (SR-138) corridor, focusing on traffic moving from I-5 to Interstate 15 (I-15) in San Bernardino County. For each Part, the Technical Advisory Committee (TAC) was tasked with selecting the Locally Preferred Strategy (LPS), which included short and long-term improvements which were viewed as important by a consensus of the TAC. Following the completion of each Part, the LPS from Part I and Part II were combined into an integrated corridor plan for north county. SANBAG staff has participated in Part II TAC meetings for the study from September 2002 to present.

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Approved
San Bernardino Associated Governments
Board of Directors

Date: May 5, 2004

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In Favor: Opposed: Abstained:

Witnessed: _____

The LPS improvements for Part II includes all projects currently programmed for construction in the corridor, widening SR-138 from the Los Angeles/San Bernardino County line to Avenue T in the City of Palmdale, the widening of SR-138 from I-5 to SR-14 to a six lane expressway, the construction of truck climbing lanes on SR-138 from I-15 to Phelan Road (where warranted), transit improvements, and the construction of a High Desert Corridor located north of existing SR-138 linking the Antelope Valley and the Victor Valley.

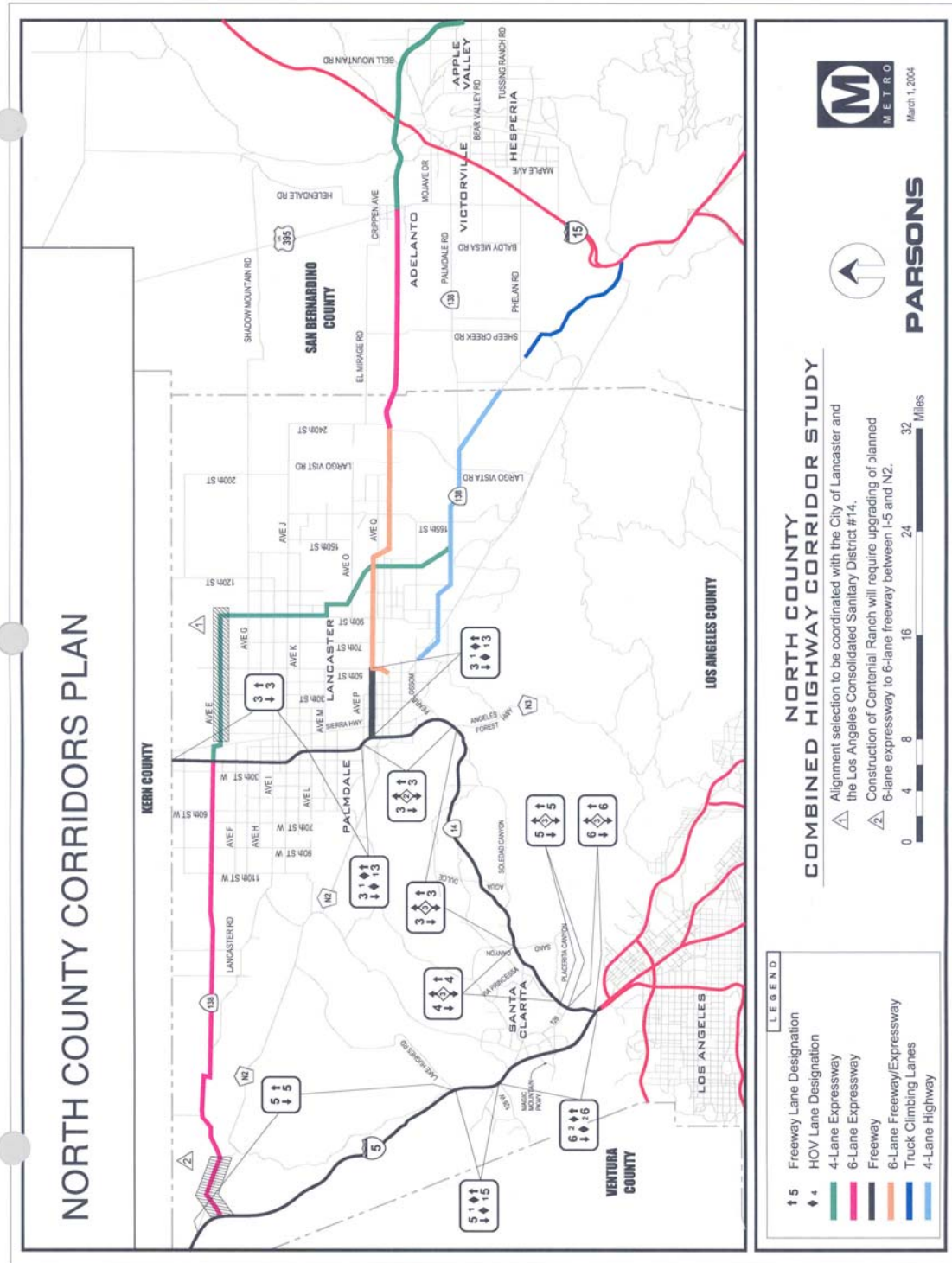
The integration of the Part I LPS and the Part II LPS began in December 2003. Attached are maps showing the short and long-term improvements incorporated into the integrated corridor plan. The study is scheduled to be completed in this month, with receiving a Regionally Significant Transportation Investment Study (RSTIS) letter of completion at the RSTIS Committee meeting on April 22, 2004. In July 2004, the study is scheduled to be adopted by the MTA Board of Directors.

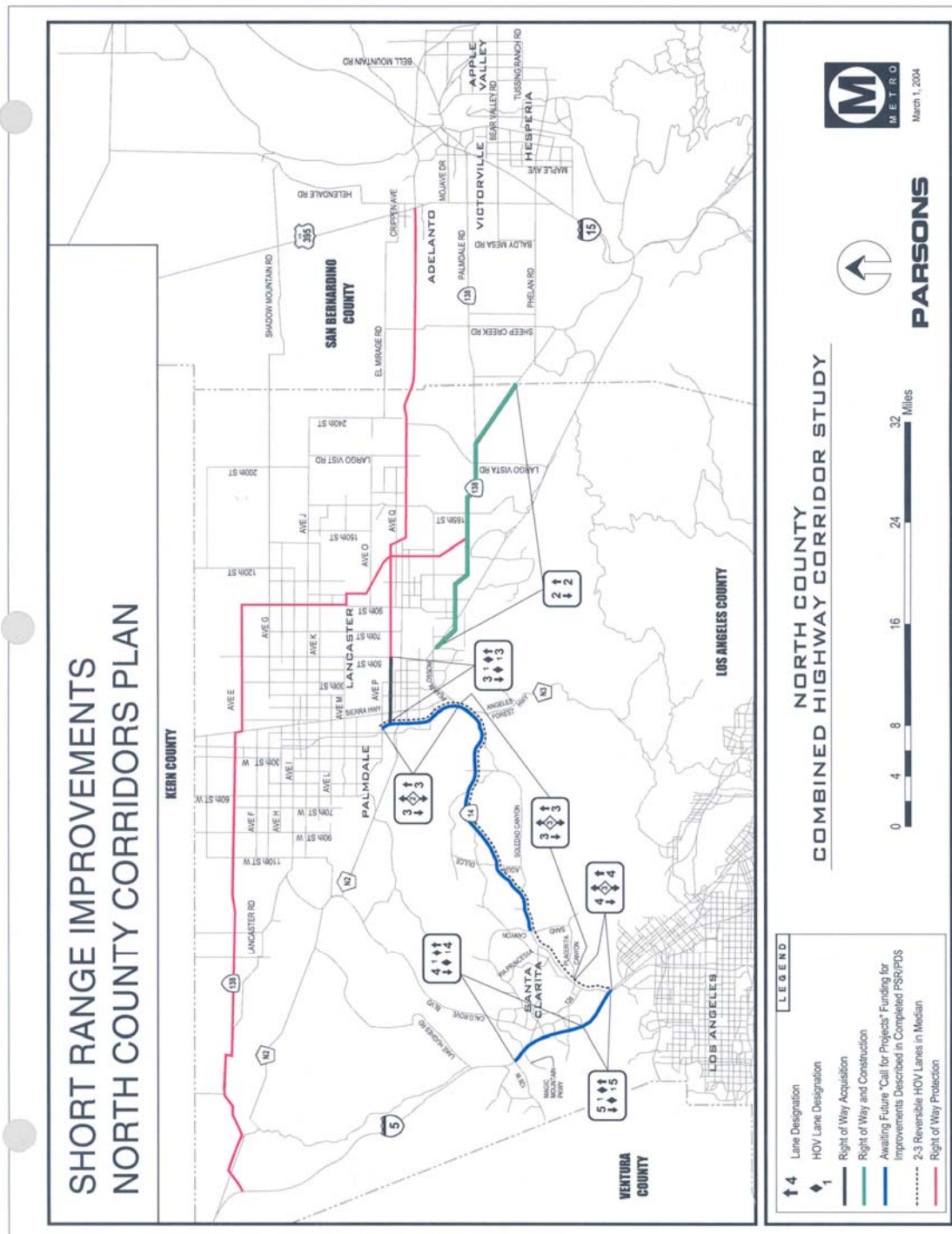
Of particular interest to SANBAG staff was Part II of the study, not only because of the included improvements to SR-138, but it also reaffirmed the importance of the High Desert Corridor, an additional east-west facility between the Antelope Valley and the Victor Valley. The High Desert Corridor is a high priority project in the Victor Valley because it will ease congestion on SR-138 between Victorville and Palmdale, but also will provide increased access to Southern California Logistics Airport (SCLA) from I-15, US-395, and the Antelope Valley.

Financial Impact: This item has no direct impact on the adopted SANBAG Budget. Staff activities related to this item are consistent with the adopted SANBAG Budget, Task No. 0421300 – High Desert Corridor Studies.

Reviewed By: This item was reviewed and support was unanimously recommended by the Mountain/Desert Committee on April 16, 2004.

Responsible Staff: Andrew Green
Transportation Planning Analyst





Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: Update on House TEA-21 Reauthorization Efforts

Recommendation:* Receive summary report on H.R. 3550, TEA-LU.

Background: On April 2, the House passed its six-year reauthorization bill, the Transportation Equity Act: a Legacy for Users (TEA-LU), with a funding level of \$284 billion. The funding level passed by the House is significantly smaller than the \$375 billion originally introduced by the House Transportation and Infrastructure Committee. As a result of the reduced funding level, there are some elements of the bill that may negatively impact California and other donor states.

The issue of most concern is the scope and minimum guarantee formula included in the House bill. Scope refers to the percentage of total federal highway program dollars covered under the Minimum Guarantee. When California receives less than it sends to the federal government in gas tax revenues, Minimum Guarantee adjusts our share upward to address the inequity in federal formulas and discretionary programs. Under TEA-21, 93% of the highway funds distributed to the states were calculated under that adjustment. Of those funds States are promised at least a 90.5% rate of return. If that scope drops, then California's actual rate of return will drop. Again, as it stands right now, Minimum Guarantee provides each state with a 90.5% guarantee on 93% of distributed funds. Under H.R. 3550 (TEA-LU), states are guaranteed 90.5% on 84% of distributed funds.

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Approved
San Bernardino Associated Governments
Board of Directors

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

This means fewer guaranteed dollars to California. SANBAG staff is working with the California delegation to maintain the highway funding formula included in TEA 21. Even at \$284M, the White House has threatened to veto the bill; largely because of its cost. TEA-LU also includes a “reopener” clause that would cut off spending for most transportation programs after September 30, 2005 (the end of the federal fiscal year), unless a law is passed that would raise the minimum guarantee to 95 percent, without lowering any state’s funding apportionment. However, meeting this standard would require a substantial increase in overall transportation funding.

The good news to report is that the House bill includes substantial earmarks for San Bernardino County projects – a total of \$80 million. In addition, SANBAG staff was successful in getting passage of the amendment to extend the Alameda Corridor East definition to include all Alameda Corridor affected areas throughout Orange, Riverside and San Bernardino counties to the Arizona state line. The definition included in the House bill is listed below:

The Alameda Corridor-East and Southwest Passage, California. The Alameda Corridor-East Trade Corridor is generally described as the mainline transcontinental Union Pacific Railway and Burlington Northern Santa Fe Railway Mainline tracks from east Los Angeles (terminus of Alameda Corridor) through Los Angeles, Orange, Riverside and San Bernardino Counties, including the Orangethorpe Corridor in Orange County from Anaheim to Yorba Linda, to termini at Barstow in San Bernardino County and Coachella in Riverside County. The Southwest Passage shall follow I-10 from San Bernardino to the Arizona state line.

It is unclear at this time when the House-Senate conference will begin its deliberations. The current TEA-21 extension expires at the end of this month so another extension is very likely. In addition, the White House issued a formal veto threat of any bill that exceeds \$256 billion. Given the funding levels passed by the House and Senate (\$318B), it is difficult to predict an outcome for reauthorization this year.

Financial Impact: This item has no impact on the adopted SANBAG budget.

Reviewed By: This item was reviewed by the Administrative Committee on April 14, 2004.

Responsible Staff: Kris Leathers, Director Intergovernmental and Legislative Affairs

Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: AB 2498 (Longville)

Recommendation:* Receive update on SANBAG sponsored legislation AB 2498, which would clarify the intent of the State's funding program for freeway service patrol (FSP).

Background: The current FSP statute leaves open the question of how a regional or local agency operating new FSP service can participate in the state funding program. AB 2498 clarifies the existing statute to take out any subjectivity of whether or not a new agency may or may not enter the state program.

SANBAG has been working with the Administration and the participating FSP agencies to find an administrative resolution to address the admittance of new, qualified applicants to the program. As it currently stands, new applicants are considered ineligible unless additional funding is provided to the program – despite the very relevant point that the FSP program is funded with state transportation revenue and was intended for statewide application. SANBAG exceeds all of the minimum criteria for entrance into the program. However, its application was declined by Caltrans due to a subjective interpretation of the current statute and the corresponding FSP guidelines. This legislation seeks to clarify the intent as well as to provide safeguards for participating agencies.

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Approved
San Bernardino Associated Governments
Board of Directors

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

As you know, FSP is vital to the State's urban and suburban communities. As traffic congestion continues to worsen in all areas, FSP works quickly, efficiently and cost effectively to remove traffic hazards, disabled vehicles and other vehicle related problems off the highways to keep traffic flowing smoothly. AB 2498 will ensure that local and regional agencies can continue to operate this much-needed program.

Financial Impact: This item has no impact on this year's budget. In future years, if admitted to the program, SANBAG stands to gain a minimum of \$906,526 in state revenue on an annual basis.

Reviewed By: This item was reviewed by the Administrative Committee on April 14, 2004. It has also been reviewed by SANBAG counsel and was part of the Board adopted 2004-05 State Legislative Agenda.

Responsible Staff: Kris Leathers, Director Intergovernmental and Legislative Affairs

Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: Amendment to Contract 99-029 with HNTB Corporation for SR 210 Segment 10 Design Services

Recommendation:* Approve Amendment No. 6 to Contract 99-029 with HNTB Corporation extending the period of performance to December 31, 2004 and increasing the contract in the amount of \$71,900 as detailed in the Financial Impact Section.

Background: **This is an amendment to an existing contract.** In March 1999 the Board approved Contract No. 99-029 with HNTB Corporation to provide engineering design services for Segment 10 of the SR 210 Freeway. This amendment will fund work performed or to be performed at SANBAG's request that are changes in scope not included in the original contract or prior amendments and extends the period of performance to December 31, 2004.

The following is a summary of each scope change. A more detailed explanation of the project costs provided by the consultant is included in this agenda item as Attachment "A" to the amendment.

Highland Ave. and Pepper Ave. bridge revisions.

HNTB had to make revisions to the Highland bridge and Pepper Ave. Bridge plans. These "last minute" revisions were made following changes in Caltrans bridge design standards. The cost estimate for this work is \$7,300.

Bridge Revisions (Muscoy & Lytle Creek)

The design sub-consultant has had to make a number of revisions to the design of the Muscoy railroad bridge as Caltrans and the Union Pacific Railroad had

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*Approved
San Bernardino Associated Governments
Board of Directors*

Date:

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

conflicting standards. Also, for Lytle Creek Bridge revisions were required to address earthquake related fault rupture issues that were identified late in the design process. The cost estimate for this additional design effort is \$16,200.

Infiltration Testing at 3 Basin Locations.

The geotechnical sub-consultant will perform a geotechnical investigation for three proposed basin locations to support the design for the infiltration of storm water. Initial stage is to determine the groundwater depth and stage two will sample soil for various characteristics and to determine the infiltration rates applicable to each basin. The cost estimate for this additional effort is \$25,500.

Drain Line 5A Re-Design.

The design sub-consultant had to redesign the main storm drain piping from the join with Segment 9 to the outfall south of the freeway and east on Highland Avenue Bridge. This effort was necessary due to information received from Caltrans for the design flows that were passing onto Segment 10. The cost estimate for this additional analysis and design effort is \$9,500.

Edge Drain Re-Design

The design sub-consultant had to make changes to the edge drain system due to direction from Caltrans to eliminate edge drains within embankment sections of the freeway. The cost estimate for this additional design effort is \$2,600. The elimination of edge drains is estimated to save \$200,000 in construction costs.

Regional Water Quality Control Board Support

The design sub-consultant had to prepare exhibits and participate in several meetings with the Regional Water Quality Control Board to support SANBAG's effort to obtain approval for the Rte. 210 project. The designer's cost estimate for this additional design effort is \$2,600.

San Bernardino County Flood Control District Support

The design sub-consultant had to prepare exhibits and participate in several meetings with the Regional Water Quality Control Board to support SANBAG's effort to obtain approval for the Rte. 210 project. The cost estimate for this additional design effort is \$8,200.

Financial Impact: This item is consistent with the SANBAG 2003/04 fiscal year budget. The cost of this amendment is \$71,900 for a total contract amount of \$5,169,904.22. Funding Source is SANBAG Measure I Valley Major Projects funds. TN 0426800

Reviewed By: This item was reviewed and recommended for approval 10-0-3 (Biane, Pomierski, and Wilson abstained), by the Major Projects Committee on April 15, 2004.

Responsible Staff: Darren Kettle, Director of Freeway Construction

Minute Action

AGENDA ITEM _____

Date: May 5, 2004

Subject: Amendment No. 2 to Cooperative Agreement No. 94-039 with Caltrans for right of way acquisition for I-10 widening project.

Recommendation:* 1.) Approve Amendment No. 2 to Cooperative Agreement No. 94-039 with Caltrans for right of way acquisition on the I-10 widening project extending the agreement to June 30, 2004 and increasing the contract by \$1,500,000 for a total of \$4.1 million as specified in the financial impact section.

2.) Approve budget amendment to increase task 0437000 in the amount of \$1,500,000. Funding source is Measure I Valley Major Projects Fund as detailed in the Financial Impact Section.

Background: **This is an amendment to an existing cooperative agreement.** In March, 1994, SANBAG entered into this cooperative agreement with Caltrans for the acquisition of right of way for the I-10 HOV widening project. The agreement stated that SANBAG would be responsible for 100% of all capital outlay and right of away staffing costs for the project. The agreement did not specify a dollar amount. However, there was a staff recommendation that estimated costs to be approximately \$1.5 million including capital expenses.

In May 1997 SANBAG staff advised the Board the cost of this agreement would need to increase by an estimated \$500,000 due to expenses incurred prior to utility relocation and at least one potentially costly property that was involved in eminent domain proceedings.

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Approved
San Bernardino Associated Governments
Board of Directors

Date:

Moved: *Second:*

In Favor: *Opposed:* *Abstained:*

Witnessed: _____

The first official amendment to the agreement was approved on December 1, 1999. The amendment was for an increase in funds by \$600,000. In addition, the termination date of the agreement was extended to December 31, 2001. The increase in cost was attributed to the condemnation of two car dealerships that had yet to be settled. Caltrans estimated the final valuation and goodwill settlement to cost approximately \$350,000. Other estimated costs were due to expiration of temporary construction easements, relocation of an electronic sign for one of the car dealerships, acquisition of an aerial easement due to a sign being placed partially outside the State right of way, and, and a 20% contingency allowance.

In January 2001, the Major Projects Committee approved a second amendment to this contract in the amount of \$4.1 million for increase ROW cost for the I-10 HOV Widening project subject to clarification of several Temporary Construction Easement and Permanent Easement issues. However, SANBAG staff removed the item from the Board Agenda so that research could continue on identifying appropriate costs.

This second and final amendment for a total cost of \$1.5 million is to finalize SANBAG's commitment to this project. The \$1.5 million request is to fund the balance of acquisition related costs including fee, temporary construction easements, damages, and permanent easements, as well as Caltrans support costs. The final court awarded settlement was significantly higher than what was previously estimated by over \$1 million.

Financial Impact: The total amendment amount is \$1,500,000 for a total contract amount of \$4,100,000. The financial impact of this item is not consistent with the FY 2003/2004 budget.

A budget amendment is requested to increase the amount of task number 0437000 and funding source Measure I Valley Major Projects Fund by \$1,500,000.

Reviewed By: This item was reviewed and unanimously recommended for approval by the Major Projects Committee on February 12, 2004.

Responsible Staff: Darren Kettle, Director of Freeway Construction

Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: Approval of Local Right of Way Agreements Nos. 04-031 and 04-044 with Caltrans for Interstate 215 Right of Way Capital funding.

Recommendation: *

1. Rescind Contribution Agreement Nos. 04-031 and 04-043 with Caltrans and 2003/04 SANBAG budget amendment associated with these agreements, and
2. Approve Right of Way Agreement No. 04-059 with Caltrans to provide federal Congestion Mitigation/Air Quality (CMAQ) funds in the amount of \$10.518 million and committing local match \$1,362,718 of Measure I Major Projects funds for Interstate 215, Segment 3 Right of Way (ROW) Capital, and
3. Approve Right of Way Agreement No. 04-060 with Caltrans to provide federal Congestion Mitigation/Air Quality (CMAQ) funds in the amount of \$3.5 million and committing local match \$453,462 of Measure I Major Projects funds for Interstate 215, Segment 1 Right of Way (ROW) Capital, and
4. Approve budget amendment to SANBAG FY 2003/04 Budget Task Number 0425300 in the amount of \$15,834,180 million as detailed in the Financial Impact Section.

Background: **These are new contracts.** In August 2003 the Board approved a Regional Transportation Improvement Program amendment shifting \$14.018 million of CMAQ funds from the SR 210 construction to Interstate 215 ROW acquisition. As Caltrans is the Lead Agency on the I-215 project and is responsible for ROW acquisition for the project, it was thought to be necessary to transfer the CMAQ funds from SANBAG to Caltrans. Contribution Agreement Nos. 04-031 and 03-043 were the vehicles to transfer the CMAQ funds. Subsequent to the execution of these agreements, Caltrans has informed SANBAG that due to insufficient cash

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Approved
San Bernardino Associated Governments
Board of Directors

Date:

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

they are not in a position to provide the up front funding and then be reimbursed with the CMAQ funding provided by SANBAG.

In light of this situation and in effort to reduce further delays in the project, staff recommends rescinding the two contribution agreements and the approval of the two right of way agreements. The fundamental difference in the two approaches is that rather than Caltrans coming up with the up front cash for property acquisition, upon notification by Caltrans of a property entering escrow, SANBAG will use Measure I Major Projects funds to place in escrow and then seek CMAQ reimbursement.

Financial Impact: The right of way agreements total \$15,834,180 million and include both CMAQ funds and Measure I Major Project funds necessary to meet the local match requirement. An amendment to the SANBAG FY03/04 Budget is necessary to increase revenues and expenditures by \$15,834,180 million to Task Number 0425300 to provide funding to Caltrans for the purposes of purchasing right of way for the Interstate 215 project. This budget amendment provides expenditure authority for \$14.018 million of federal CMAQ funds and \$1,816,180 of Measure I Major Project funds to meet the local match requirement. The funding sources are South Coast Air Basin CMAQ and Valley Measure I Major Projects Fund Balance. TN 0425300

Reviewed By: This item was reviewed and unanimously recommended for approval by the Major Projects Committee on April 15, 2004.

Responsible Staff: Darren Kettle, Director of Freeway Construction

Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: Federal Transit Administration (FTA) Section 5310 Applications for Program Year 2004/2005

Recommendation:^{*}

1. Adopt prioritization of applications received from the Fort Mojave Social Services, Omnitrans and Redlands Community Hospital.
2. Approve amending the Regional Transportation Improvement Program (RTIP) to include projects applied for by San Bernardino County entities; and
3. Adopt Resolution 04-023 certifying the projects recommended for funding are consistent with the Regional Transportation Plan.

Background: Section 5310 of the Federal Transportation Act provides discretionary capital funding for projects submitted by private non-profit corporations and under specific circumstances, public agencies which meet the special needs of the elderly and persons with a disability. Programs grants are made for up to 80% of the cost of vehicles and/or related equipment. The local match and ongoing operating expenses are provided for by the individual applicant agencies. Within the State, the California Transportation Commission makes funding awards and the program is administered by Caltrans.

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Approved
San Bernardino Associated Governments
Board of Directors

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

The application review process included the use of statewide criteria and scoring developed by the California Transportation Commission. Each regional planning agency is responsible for evaluating and scoring project applications. SANBAG uses members of the Public and Specialized Transportation Advisory and Coordinating Council (PASTACC) as its Local Review Committee (LRC).

On April 12, 2004 the SANBAG LRC, comprised of representatives from the State Department of Rehabilitation, Omnitrans, SANBAG and its social service transportation contractor, A Menninger Mayeda Alternative (AMMA), evaluated and scored the applications. The attached material provides a summary of the local process, the scoring results and a recommended priority listing. Per the guidelines, each requested vehicle was evaluated and scored independently.

The California Transportation Commission guidelines require that the regional planning agency adopt a resolution that includes certain findings associated with this grant program. Resolution 04-023 has been prepared to meet those requirements.

Financial Impact: There is no financial impact on the SANBAG Budget. The total amount of FTA Section 5310 being applied for is \$470,880. Administration of the FTA Section 5310 is consistent with the approved SANBAG budget, Task No. 0450100.

Reviewed By: This item was reviewed and unanimously recommended for approval by the Plans and Program Committee on April 21, 2004.

Responsible Staff: Michael Bair, Director of Transit and Rail Programs
Victoria Baker, Senior Transit Analyst
AMMA

Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: SANBAG 2004/2005 Proposed Budget

Recommendation:*
1. Presentation of the SANBAG 2004/2005 Proposed Budget; and
2. Receive the SANBAG Work Program for 2004/2005 for SANBAG senior management.

Background: The SANBAG 2004/2005 proposed budget has been developed, and the proposed budget document will be distributed to members of the Board at the May 5, 2004 meeting.

The budget process began in January 2004, with the adoption of the 2004/2005 Budget Schedule. During the months of March and April, SANBAG policy committees reviewed the task descriptions and budgets under their purview, with new activity and estimated encumbrances. Additionally, the Administrative Committee has reviewed agency wide program budgets, the fringe/indirect allocations, revenue projections, planned expenditures and revenue projections.

As part of the Budget Schedule adoption, the date for the Board of Director's workshop has been scheduled for 9:00 am, Wednesday, May 12, 2004 at the SANBAG offices. This workshop provides an opportunity for additional policy

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Approved
San Bernardino Associated Governments
Board of Directors

Date: _____

Moved: _____ *Second:* _____

In Favor _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

discussion and direction regarding the proposed budget. The budget workshop will be held in conjunction with the Administrative Committee meeting.

SANBAG is required to publish notice of the time and place of the public hearing for adoption of the annual budget (Public Utilities Code Sec. 130103/Government Code Sect. 6061). The Budget Schedule also set the date for the public hearing for 9:30 a.m. on Wednesday, June 2, 2004.

In addition to presentation of the proposed SANBAG budget, this item presents the comprehensive SANBAG Work Program for 2004/2005. The Work Program sets forth the performance targets for SANBAG senior managers. This document will assist the Board in understanding the projects and programs to be worked on during the year. The Work Program is an essential management tool used to monitor programs and progress on specific projects.

Financial Impact: The 2004/2005 SANBAG Budget establishes the financial, staffing, and work product authority for agency activities during the coming fiscal year. Estimated revenues for 2004/2005 are \$170,602,052 and expenditures, not including encumbrances, are \$148,431,353.

Reviewed By: All five of the SANBAG policy committees have reviewed task descriptions and budgets for activities under their purview. The Administrative Committee also reviewed elements related to the agency wide programs, expenditures, revenue projections and the fringe/indirect allocations. The Administrative Committee recommended that the proposed budget be presented for Board consideration.

Responsible Staff: Norm King, Executive Director
Susan Van Note, Chief Financial Officer

Minute Action

AGENDA ITEM:

Date: May 5, 2004

Subject: Measure I Renewal Expenditure Plan

Recommendation:* 1. Approve Exhibit A, Transportation Expenditure Plan, for circulation to cities and the County;
3. Recommend adoption of a resolution by each jurisdiction approving the Measure I Transportation Expenditure Plan.

Background: During the past year, SANBAG Board Members have been working on the development of a proposal to continue Measure I, San Bernardino County's half cent transportation transactions and use tax. During this period, workshops involving Council Members, County Supervisors, and technical staff from all subregions of the county have provided input into development of proposals for continuation of Measure I. This item presents the Transportation Expenditure Plan containing specific elements proposed for the continued Measure. . This item requests approval of the Transportation Expenditure Plan for circulation to the County and each of the cities with a recommendation for their approval of the Plan.

Following action of the SANBAG Board approving circulation of the Expenditure Plan, member jurisdictions will be asked to consider it at meetings throughout the month of May. If placement on the November 2004 ballot is to be achieved, no modifications to the Transportation Expenditure Plan can be made following the May 5 SANBAG Board action. Upon approval by the County and cities, the SANBAG Board can take action at the June 2, 2004, meeting requesting placement on the ballot.

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Approved
San Bernardino Associated Governments
Board of Directors

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

San Bernardino County voters approved Measure I, the County's one-half of one percent transactions and use tax for transportation improvements, in November 1989. Since its inception, Measure I has provided funding for numerous transportation projects, including freeways, local roads, major streets, interchanges, the Metrolink commuter train system, public buses, traffic signals, and more. Measure I will expire in 2010.

San Bernardino Associated Governments, in its function as the San Bernardino County Transportation Authority, has been working with private sector stakeholders and city and County representatives to prepare the proposed expenditure plan for the revenues expected to be derived from the continued Measure I tax, together with anticipated federal and state funds. It is anticipated that the Measure will be placed on the November 2, 2004 ballot.

If approved by voters, Measure I would authorize the collection of a one-half of one percent sales tax for a 30-year period from 2010 to 2040, generating an anticipated total of \$6 billion for local transportation projects, without raising additional taxes. These funds would remain in San Bernardino County and could not be borrowed or suspended by the state or federal governments for any reason. A million more people are projected to live in San Bernardino County by 2030, and Measure I will help fight traffic congestion with a long-term funding source for freeways, highways, major streets, local streets, passenger trains and bus fare discounts for seniors and persons with disabilities. Measure I also will help improve road access for emergency responders, such as police, fire and ambulance services and will help repair badly deteriorated roads countywide. Measure I will help boost San Bernardino County's economy by providing construction-related jobs and manufacturing jobs and by making the area more attractive to businesses that need an effective transportation network for its employees and customers. Annual financial audits and an Independent Taxpayer Oversight Committee will insure that funds are spent appropriately.

The Measure I Transportation Expenditure Plan specifies the allocation of tax revenue countywide for the new measure, which would take effect upon the expiration of the current measure in 2010. Key elements of the Plan are as follows:

- The Plan retains the six county subareas and directs revenues generated from each subarea to be expended on transportation projects of direct benefit to that subarea. Within the San Bernardino Valley Subarea, the funds collected from this subarea would be used for projects of direct benefit to the Valley using the following formula:

- 29% Freeway projects
 - 11% Freeway interchange projects
 - 20% Major street projects
 - 20% Local street projects (Returned to local jurisdictions for priority projects)
 - 8% Metrolink/rail service
 - 8% Senior and disabled transit service
 - 2% Express bus/bus rapid transit service
 - 2% Traffic management systems (signal synchronization, commuter assistance, etc.)
- Within the Mountain/Desert Subareas (the North Desert Subarea, the Colorado River Subarea, the Morongo Basin Subarea, the Mountains Subarea and the Victor Valley Subarea), the funds collected from each subarea would be used for projects of benefit to each subarea using the following formula:
 - 70% Local street projects (Returned to local jurisdictions for priority projects)
 - 25% Major local highway projects
 - 5% Senior and disabled transit service
 - The Plan would reserve 3% of the revenue generated in both the San Bernardino Valley Subarea and the Victor Valley Subarea for improvements to the Cajon Pass, which are critical for intra-county travel for residents of both subareas.
 - As in the current Measure I, the Plan provides for all future development to pay its fair share for needed transportation facilities as a result of the new development. No Measure I revenue would be used to replace the fair share contributions required from new development.
 - The Plan also contains a requirement for annual financial audits of each jurisdiction's expenditure of Measure I funds and establishment of an Independent Taxpayer Oversight Committee.

Government Code Section 180206 requires that the Expenditure Plan be approved by the County Board of Supervisors and a majority of the cities representing a majority of the population. Upon receipt of these approvals, the SANBAG Board of Directors will consider action to adopt the final Expenditure Plan and to request that the San Bernardino County Board of Supervisors place the measure on the November 2, 2004 ballot.

Financial Impact: This action will have no financial impact on the SANBAG budget. Approval of the continuation of Measure I will result in \$6 billion in transportation revenue countywide for the 30 year term. Based upon return to source, a total of \$1.3 billion would be allocated to the Mountain/Desert Subareas and \$4.5 billion would be allocated for San Bernardino Valley subarea projects. Approximately \$.17 billion would be allocated for improvements to the Cajon Pass, derived from 3% of the revenue generated in the Valley and the Victor Valley.

Reviewed By: The proposed Transportation Expenditure Plan has been developed and recommended for approval by the Measure I Ad Hoc Committee. This item was reviewed and unanimously recommended for approval by the SANBAG Major Projects, Mountain/Desert, and Plans and Programs Committees during the month of April.

Responsible Staff: Norman R. King, Executive Director, and SANBAG Staff

Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: Mountain Travel Demand Model

Recommendation:* Approve Amendment No. 1 to sole source Contract No. 03-059 with Wilbur Smith Associates to extend the period of performance from June 30, 2004, to October 31, 2004.

Background: In May 2003, the SANBAG Board of Directors approved sole source Contract No. 03-059 with Wilbur Smith Associates to update the Mountain Travel Demand Model that was originally developed in 1993. The Mountain Model is a tool for forecasting weekend travel to, from, and within the San Bernardino Mountains, including the City of Big Bear Lake, and the communities of Lake Arrowhead and Crestline. The model was created specifically to address the major tourism/recreational peak traffic experienced in the mountains. Wilbur Smith Associates was chosen because of their unique knowledge of this model; the firm created the model for SANBAG.

Unfortunately, the project has fallen behind due to unforeseen circumstances. During Summer of 2003, the consultant was scheduled to take traffic counts on major routes in the mountains. The day after the consultant established their automatic count locations, the Bridge Fire along SR-330 began and postponed the counts for several weeks. During the Fall, the project manager left Wilbur Smith for another firm, causing a delay while personnel were reassigned to the project.

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Approved
San Bernardino Associated Governments
Board of Directors

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

SANBAG staff is satisfied with the staff reassigned to the project and recommends approval of the contract extension.

Sole Source: SANBAG Policy 11000.7.5, Sole Source Process, provides for sole source contracts in specific instances where the contractor possesses unique knowledge to complete a task. In this instance, the Mountain Travel Demand Model was created by Wilbur Smith to address the unique recreational peak travel characteristics of the San Bernardino Mountains, and the manual for operation of the model was also written by Wilbur Smith. These factors justify the sole source contract pursuant to SANBAG policy.

Financial Impact: This item has no additional impact on the adopted SANBAG Budget. Staff activities related to this item are consistent with the adopted SANBAG Budget, Task No. 0420330, Congestion Management Program – San Bernardino Mountains.

Reviewed By: This item was reviewed and unanimously recommended for approval by the Mountain/Desert Committee on April 16, 2004.

Responsible Staff: Deborah Robinson Barmack
Director of Management Services

Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: Sole Source Professional Services Contract – Public and Specialized Transit Planning

Recommendation:* Approve Contract 05-003 with the firm of A Menninger Mayeda Alternative (AMMA) to provide public and specialized transit planning services in an amount not to exceed \$151,500 over two years as specified in the Financial Impact Section.

Background: Pursuant to SANBAG Policy 11000.7.5 a sole source contract may be recommended for approval upon a finding of appropriateness and that it is in the best interest of the agency to do so. A sole source contract is being recommended due to AMMA's unique and extensive knowledge of public and specialized transportation as well as the recognition that the firm's experience is important for the continued improvement in public and specialized transportation within San Bernardino County and the completion of the Non-Emergency Medical Transportation Project currently underway.

AMMA has provided transportation planning services to SANBAG for several years. A competitive procurement process for public and specialized transit planning was conducted six years ago and AMMA was overwhelmingly recommended for selection by a committee with representation from Omnitrans, the Victor Valley Transit Authority, Inland Regional Center and SANBAG.

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Approved
San Bernardino Associated Governments
Board of Directors

Date: _____

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In Favor:

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Since that time the SANBAG has approved two contracts with the firm with each contract having two one-year options to extend. The current AMMA Contract has been extended the maximum two one-year terms and will expire on June 30, 2004.

A summary of activities AMMA has provided assistance with is provided below:

1. PASTACC Support – Provided continuing support to the SANBAG Public and Specialized Transportation Advisory and Coordinating Council – the advisory committee established pursuant to PUC Section 99238.
2. Social Service Transportation – Prepared the annual inventory of public and social service transportation services – now containing more than 300 agencies.
3. Unmet Transit Needs – Provided staffing for three public hearings held in September 2003. Summarized the testimony received and assisted in developing responses to the testimony.
4. ADA Compliance – Provided technical assistance to all County transit operators with respect to the ADA, including the monitoring of lawsuits filed throughout the nation. Has participated on VVTA's ADA certification appeals panel.
5. FTA Section 5310 – Distributed capital grant information to eligible agencies throughout the County. Assisted with Caltrans training sessions. Conducted the Local Review Committee preliminary review of applications, made suggestions to improve agency applications and scored applications received.
6. Non-Emergency Medical Transportation Study – Served as primary lead to this FTA Section 5313 funded project covering San Bernardino and Riverside Counties. An extensive amount of effort has been applied to this study which is expected to be completed next year.
7. First-Five – Represented SANBAG on the Strategic Plan Integration Committee for the County's First 5 Program.
8. Technical Assistance to Public and Specialized Transit Operators – Developed and compiled results of a survey to assist in determining the viability of late evening service in the Victor Valley.

When the second-year option for the existing contract was presented to the Administrative Committee last year, it was suggested that confirmation of the firm's quality of assistance on behalf of SANBAG be included with the review of work performed. Attached are letters from the Victor Valley Transit Authority, Inland Empire Health Plan and First 5 San Bernardino.

There is a continuing need for the professional services provided by AMMA. Planned activities for the next fiscal year will include those on-going support efforts for PASTACC; assisting in regulatory compliance with the Transportation Development Act, FTA Section 5310 and the ADA; updating and publishing the annual social service transportation inventory and preparing the bi-annual status report on social service transportation coordination to the State; completion of the Non-Emergency Transportation Study including conducting a conference in the fall to present the study results; and researching and assisting public and specialized transit agencies in applying for new training and funding opportunities.

The proposed contract provides for a continuation of professional services for the next two (2) fiscal years with two (2) two-year extension options. Compensation for the first year shall not exceed \$70,500 in personnel expenses and \$4,500 in direct expenses for a total compensation not to exceed \$75,000. The first year total compensation represents a 16% reduction from the current year and reflects a lesser work effort due to the completion of the Non-Emergency Medical Transportation Study early next fiscal year. Compensation for the second year shall not exceed \$71,910 in personnel expenses and \$4,590 in direct expenses for a total compensation not to exceed \$76,500. The total compensation for Contract option terms shall be mutually agreed upon and incorporated by amendment to this Contract.

Financial Impact: The total compensation for Fiscal Years 2004/2005 and 2005/2006 shall not exceed \$151,500.00. Funding for the first year of this Contract (\$75,000) is consistent with the proposed Fiscal Year 2004/2005 SANBAG Budget under Task 0530950. The funding source will be LTF Planning. Funding for the second year (\$76,500) will be contingent upon funding approved as part of the Fiscal Year 2005/2006 SANBAG Budget.

Reviewed By: This item was reviewed and unanimously recommended for approval by the Administrative Committee on April 14, 2004.

Responsible Staff: Michael Bair, Director of Transit and Rail Programs

AB	Assembly Bill
ACE	Alameda Corridor East
ACT	Association for Commuter Transportation
ADA	Americans with Disabilities Act
APTA	American Public Transportation Association
AQMP	Air Quality Management Plan
ATMIS	Advanced Transportation Management Information Systems
BAT	Barstow Area Transit
CAC	Call Answering Center
CALACT	California Association for Coordination Transportation
CALCOG	California Association of Councils of Governments
CALSAFE	California Committee for Service Authorities for Freeway Emergencies
CALTRANS	California Department of Transportation
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CHP	California Highway Patrol
CMAQ	Congestion Mitigation and Air Quality
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COG	Council of Governments
CSAC	California State Association of Counties
CTA	California Transit Association
CTAA	Community Transportation Association of America
CTC	California Transportation Commission
CTC	County Transportation Commission
CTP	Comprehensive Transportation Plan
DMO	Data Management Office
DOT	Department of Transportation
E&H	Elderly and Handicapped
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EPA	United States Environmental Protection Agency
ETC	Employee Transportation Coordinator
FEIS	Final Environmental Impact Statement
FHWA	Federal Highway Administration
FSP	Freeway Service Patrol
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GFOA	Government Finance Officers Association
GIS	Geographic Information Systems
HOV	High-Occupancy Vehicle
ICMA	International City/County Management Association
ICTC	Interstate Clean Transportation Corridor
IEEP	Inland Empire Economic Partnership
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IIP/ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
IVDA	Inland Valley Development Agency
JARC	Job Access Reverse Commute
LACMTA	Los Angeles County Metropolitan Transportation Authority
LNG	Liquefied Natural Gas
LTF	Local Transportation Funds
MAGLEV	Magnetic Levitation
MARTA	Mountain Area Regional Transportation Authority
MBTA	Morongo Basin Transit Authority
MDAB	Mojave Desert Air Basin

MDAQMD	Mojave Desert Air Quality Management District
MIS	Major Investment Study
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organization
MSRC	Mobile Source Air Pollution Reduction Review Committee
MTP	Metropolitan Transportation Plan
NAT	Needles Area Transit
OA	Obligation Authority
OCTA	Orange County Transportation Authority
OWP	Overall Work Program
PASTACC	Public and Specialized Transportation Advisory and Coordinating Council
PDT	Project Development Team
PPM	Planning, Programming and Monitoring Funds
PVEA	Petroleum Violation Escrow Account
RCTC	Riverside County Transportation Commission
RDA	Redevelopment Agency
RFP	Request for Proposal
RIP	Regional Improvement Program
ROD	Record of Decision
RTAC	Regional Transportation Agencies' Coalition
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agencies
SB	Senate Bill
SAFE	Service Authority for Freeway Emergencies
SANBAG	San Bernardino Associated Governments
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCRRA	Southern California Regional Rail Authority
SED	Socioeconomic Data
SHOPP	State Highway Operations and Protection Program
SOV	Single-Occupant Vehicle
SRTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TCM	Transportation Control Measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEA-21	Transportation Equity Act for the 21 st Century of 1997
TIA	Traffic Impact Analysis
TMC	Transportation Management Center
TMEE	Traffic Management and Environmental Enhancement
TOC	Traffic Operations Center
TOPRS	Transit Operator Performance Reporting System
TSM	Transportation Systems Management
USFWS	United States Fish and Wildlife Service
UZAs	Urbanized Areas
VCTC	Ventura County Transportation Commission
VVTA	Victor Valley Transit Authority
WRCOG	Western Riverside Council of Governments

Minute Action

AGENDA ITEM: _____

Date: May 5, 2004

Subject: Executive Director Employment Contract Amendment

Recommendation:* Approve Amendment No. 7 to the Executive Director Employment Contract.

Background: This item has been placed on the SANBAG Board of Directors agenda pending recommendations relative to amendment to the Executive Director's employment contract.

Financial Impact: To be determined.

Reviewed By: This item will be reviewed by the Board of Directors on May 5, 2004.

Responsible Staff: Mayor Bill Alexander
SANBAG President

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Approved
San Bernardino Associated Governments
Board of Directors

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____